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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,334	10/18/2000	Aninda Dasgupta	US 000013	5217
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EXAMINER				
TRUONG, LECHI				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/691,334

Applicant(s)

DASGUPTA, ANINDA

Examiner

LECHI TRUONG

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-8, 10-16, 20-24 is/are rejected.
- 7) ☒ Claim(s) 3,9 and 17-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 are presented for the examination.

In view of the Appeal Brief filed on 02/22/2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1, 2, 7, 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver) in view of Rodesch et al (US. Patent 4,422,105).

3. **As to claim 1**, Rajan teaches the invention substantially as claimed including: digital audio device (Digital Audio-Visual Council/ digital video broadcast, page 1, ln 5-20/audio and / or video at the media player, page 4, ln 1-28/Video media player 330, col 3, ln 1-23/ Fig. 3 / col 37, ln 1-14), playback (playback, col 35, ln 1-25), an external interface capable (an external source, col 4, ln 1-28), processing system (computer program code, col 4, ln 1-28), user interface application program (the API, col 4, ln 1-28/ col 355-25col 37, ln 1-25), a memory (memory 322, col16, ln 1-26), a reverse DAPD application programming interface (API)(the API control stopping, suspending and resuming ... , col 35, ln 1-25), user interface(user interface 325, Fig 3/ col 16, ln 1-26), monitor screen(a video monitor, col 16, ln 1- 26).

4. Rajan does not teach display on a monitor screen. However, Rodesch teaches display on the monitor (col 22, ln 15-26).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modifying the teaching Rajan with Rodesch to incorporate the feature of a monitor screen because this receives video output signal therefrom and to produce video displays corresponding thereto.

6. **As to claim 2**, Rodesch teaches executable instruction (the presentation function, col 4, ln 1-28), user interface application program (a user remote control, col 4, ln 1-28).

7. **As to claim 7**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. Further, Rajan teaches playing audio file (media player for audio, video and other data, col 4, ln 1-28).

8. **As to claim 8**, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

9. Claims **4, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver) in view of Rodesch et al (US. Patent 4,422,105), as applied to claim 1 above, and further in view of Smyers et al (US. Patent 5,991,520).

10. **As to claim 4**, Rajan and Rodesch do not teach API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen. However, Smyers teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

11. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching Rajan, Rodesch with Smyers to incorporate the feature of API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen

because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

12. **As to claim 10**, it is an apparatus claim of claim 4; therefore, it is rejected for the same reason as claim 4 above.

13. Claims **5, 6, 11, 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Raja et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver) in view of Rodesch et al (US. Patent 4,422,105), as applied to claim 1 above, in view of Smyers et al (US. Patent 5,991,520) and further in view of Hunt (US. Patent 6,442, 658 B1).

14. **As to claim 5**, Rajan, Rodesch and Smyers do not teach graphic file. However, Hunt teaches animated graphics (col 1, ln 14-23)/ JPEG graphic 210 (col 7, ln 1-53).

15. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Rajan, Rodesch and Smyers with Hunt to incorporate the feature or graphic file because this delivers to the user a variety of files on multimedia works.

16. **As to claim 6**, Hunt teaches Internet web page (col 1, ln 14-23).

17. **As to claims 11, 12**, they are apparatus claims of claims 5, 6; therefore, they are rejected for the same reasons as claims 5, 6 above.

18. Claims **13** , **14**, **20**, **21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver).

19. **As to claim 13**, APA teaches digital audio playback device (digital audio playback devices, page 5, ln 5-23/ page 4, ln 1-25), user interface application program (user interface, page 5, ln 5-23/ page 4, ln 1-25), a DAPD API (API, page 5, ln 5-23/ page 4, ln 1-25), displaying (displaying, page 2, ln 20-24).

20. APA does not teach the external source. However, Rajan teaches an external source (col 4, ln 1-28), a video monitor, col 16, and ln 1- 26).

21. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of APA with Rajan to incorporate the feature of external source because this enables playing back media and controls the playback to display the output audio signal to a video monitor.

22. **As to claim 14**, Rajan teaches the API control stopping, suspending and resuming ... , col 35, ln 1-25), user interface(user interface 325, Fig 3/ col 16, ln 1-26), monitor screen(a video monitor, col 16, ln 1- 26).

23. **As to claim 20**, it is an apparatus claim of claim 13; therefore, it is rejected for the same reason as claim 13 above.

24. **As to claim 21**, Rajan teaches the API control stopping, suspending and resuming ... , col 35, ln 1-25), user interface(user interface 325, Fig 3/ col 16, ln 1-26), monitor screen(a video monitor, col 16, ln 1- 26).

25. Claims **15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver) and further in view of Smyers et al (US. Patent 5,991,520).

26. **As to claim 15**, APA and Rajan do not teach API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface. However, Smyers teaches API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of APA and Rajan with Smyers to incorporate the feature of API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

28. **As to claim 16**, Smyers teaches API comprise the substep of accessing and controlling at least a portion of the user interface displayed on the monitor screen (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

29. Claim **22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior art (APA) in view Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver), as applied to claim 13 above, and further in view of Messer et al (US. Patent 6,762798 B1).

30. **As to claim 22**, Rajan teaches data associated with a manufacture of said digital audio playback device (page 5, ln 8-12).

31. APA and Rajan do not teach API, which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed. However, Messer teaches API which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed (calling the first method in response to a specification of the set of parameters such that a video window is created with the set of parameters when the video window generated at the destination position and according to the scale factor is within the capabilities of the television and the display, col 11, ln 59-64).

32. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Rajan with Messer to incorporate the feature of API,

which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed because this enables a video window to be translated as well as scaled to accommodate a variety of televisions.

33. Claims **23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior art (APA) in view Rajan et al (Stream Media Control and Synchronization Application Program Interface (API) for a Digital Television Receiver), as applied to claim 13 above, in view of Messer et al (US. Patent 6,762,798 B1) and further in view of Smyers et al (US. Patent 5,991,520).

34. **As to claims 23, 24**, APA, Rajan and Messer do not teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen, API comprises first data associated with a manufacturer of said digital audio playback device. However, Smyers teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

35. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching APA, Rajan and Messer with Smyers to incorporate the feature of API is capable causing said processor to access and control at least a portion of user

interface to display said data in said at least a portion of said user interface displayed on said monitor screen because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

Allowable Subject Matter

36. Claims 3, 9, 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

May 13, 2008

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195

